

REMARKS

Claims 1, 2 and 7-22 are all the claims pending in the application. By this Amendment, claims 1, 2, 21 and 22 are amended. In view of the foregoing amendments and following remarks, applicant respectfully requests withdrawal of the rejections, and allowance of the claims.

Applicant thanks the Examiner for consideration of the references submitted in the IDS filed on October 5, 2007. Applicant also notes that the Korean application has been allowed and patented.

Applicant also thanks the Examiner for withdrawal of the previous rejection. Further, applicant respectfully submits that the presently claimed invention, in view of the foregoing amendments, is distinguishable from the newly cited prior art, as explained below.

Claims 1, 2, 7-18, 21 and 22 stand rejected under 35 U.S.C. § 102(e) based on Ryan et al (US Patent No. 6421675, hereafter “Ryan”). Further, claims 19 and 20 stand rejected under 35 U.S.C. § 103(a) based on the Examiner’s proposed combination of Ryan and Cameron et al. (US Patent No. 6202062).

Applicant respectfully submits that the Ryan fails to disclose all of the features of the claimed invention, as explained in greater detail below.

As indicated in the foregoing amendments, the presently claimed invention is directed to a remote program code that monitors said user activity *without requiring users to access a search engine or any particular web site*, and the monitoring is *independent of the plurality of users’ access to any search engine*.

In contrast, Ryan is directed to a search engine. As noted in its Abstract, Ryan is directed to an internet search engine database. As the Examiner has pointed out, this includes internet

search engine database at column 2, lines 25-36, for example. Accordingly, applicant respectfully submits that Ryan *cannot operate without a user accessing a search engine*. In other words, if the search engine is not accessed by the user in Ryan, then the features of Ryan, such as the surfer trace data, will not function. Ryan is directed to obtaining the surfer trace data to improve the search engine, and is not independent of the search engine or a particular web site. Further, applicant respectfully submits that the citation of Ryan as provided by the Examiner is directed to the search engine of Ryan. Thus, applicant respectfully submits that Ryan is dependent upon the search performed by the search engine, and is in fact directed to the search engine.

In contrast, the claimed invention is directed to monitoring user activity independent of user access to any search engine. Further, the claimed invention monitors the user activity without requiring user access to a search engine or particular website. Applicant respectfully submits that the claimed invention is an “open” system, which is distinguishable from the prior art “closed” systems such as Ryan.

Thus, applicant respectfully submits that Ryan fails to disclose that *remote program code monitors said user activity without requiring said user(s) to access a search engine or any particular web site, and the monitoring is independent of the user(s) access to any search engine*, as required by independent claims 1, 2, 21 and 22. For at least this reason, applicant respectfully request withdrawal of the rejections, and allowance of the claims.

Additionally, applicant respectfully submits that the dependent claims are allowable by virtue of their dependence from independent claims 1, 2, 21 and 22, which are believed to be allowable for at least the reasons discussed above.

Accordingly, applicant respectfully requests withdrawal of the rejection, and allowance of the claims.

Applicant notes that this response is being filed within two months of the Final Office Action mailing date.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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